

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

x

FAOUZI JABER,

Petitioner,
-against-

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 4/15/24

18 CV 12047 (CM)
13 CR 485 (CM)

UNITED STATES OF AMERICA,

Respondent.

x

DECISION AND ORDER DENYING MOTION FILED PURSUANT TO RULE 60(b) FOR
RELIEF FROM THE COURT'S DECISION AND ORDER DENYING PETITIONER'S
MOTION TO VACATE OR SET ASIDE HIS CONVICTION AND
SENTENCE PURSUANT TO 28 U.S.C. § 2255

McMahon, J.:

Faouzi Jaber has filed a motion for reconsideration pursuant to Fed. R. Civ. P., Rule 60(b), asking the Court to reverse its decision denying his motion to vacate his convictions pursuant to 28 U.S.C. § 2255 (*See Faouzi Jaber v. United States*, 18 CV 12047 (CM), Docket Entry 5). *Faouzi Jaber v. United States*, 18 CV 12047 (CM), Docket Entry 11.

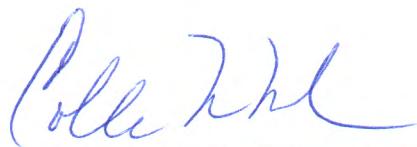
Jaber's motion for relief from the Court's June 14, 2019 decision denying his § 2255 motion is denied.

This Court declines to issue a certificate of appealability because there has been no "substantial showing of the denial of a constitutional right." 28 U.S.C. Section 2253(c)(2); *see United States v. Perez*, 129 F.3d 255, 260 (2d Cir. 1997). Further, the Court finds, pursuant to 28 U.S.C. Section 1915(a)(3), that any appeal from an order denying Jaber's motion would not be taken in good faith. *See Feliz v. United States*, 2002 WL 1964347, at *7 (S.D.N.Y. 2002).

The Clerk is directed to terminate the motions at 18 CV 12047 (CM), Docket Entry 11.

This constitutes the decision and order of the court.

April 15, 2024



United States District Court Judge

By ECF & First Class Mail To:

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